

[Senate, July 14, 2008 - Substituted by amendment by the Senate (Ways and Means) for Senate, No. 782]



The Commonwealth of Massachusetts

IN THE YEAR OF TWO THOUSAND AND EIGHT

AN ACT PRESERVING PUBLICLY ASSISTED AFFORDABLE HOUSING

Whereas, the deferred operation of this act would tend to defeat its purposes, which includes creating additional opportunities to preserve the affordability of publicly assisted housing, protecting tenants of these units from displacement due to the loss of the use restrictions, and addressing the overall lack of housing affordable to low income persons in Massachusetts, especially those who are very low and extremely low income, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled,
And by the authority of the same, as follows:*

1 SECTION 1. The General Laws are hereby amended by inserting after chapter 40S the
2 following chapter:-

3

4

CHAPTER 40T

5

PRESERVATION OF PUBLICLY ASSISTED HOUSING.

6

Section 1. As used in this chapter, the following words shall have the following
7 meanings:

8

9 “Affected municipality”, any city or town in which publicly assisted housing or a
10 publicly assisted housing development is located.

11

12 “Affiliate”, an entity owned or controlled by an Owner.

13

14 “Affordability restrictions”, limits on rents that an owner may charge for occupancy of a rental
15 unit in a publicly assisted housing development and/or limits on tenant income for persons or
16 families seeking to qualify for admission to such housing.

17

18 “CEDAC”, the Community Economic Development Assistance Corporation, a body politic and
19 corporate entity established by chapter 40H.

20

21 “Chief Executive Officer”, the mayor in a city and the board of selectman in a town, unless
22 some other municipal office is designated to be the chief executive officer under the provisions
23 of a local charter.

24

25 “Department”, the Massachusetts department of housing and community development or any
26 successor agency.

27

28 “Designee”, a municipality, local or regional housing authority, non-profit or for-profit
29 corporation, or other entity qualified to do business in Massachusetts, which is capable of
30 operating publicly assisted housing as decent, safe, and sanitary affordable housing, and which
31 is selected by the department pursuant

32 to subsection (b) of section 3.

33

34 “Enhanced section 8 vouchers”, vouchers provided under Section 8(t) of the United States
35 Housing Act of 1937, 42 U.S.C. 1437f(t), as amended from time to time, or substantially
36 equivalent assistance.

37

38 “Extremely low income”, a household income of no more than 30 per cent of the area median
39 income, adjusted for household size, as periodically determined by the United States
40 Department of Housing and Urban Development.

41

42 “Government program”, a program or combination of programs which provides government
43 assistance under one or more of the programs identified below in the definition of publicly
44 assisted housing.

45

46 “Low income”, a household income of no more than 80 per cent of the area median income,
47 adjusted for household size, as periodically determined by the United States Department of
48 Housing and Urban Development.

49

50 “Owner”, a person, firm, partnership, corporation, trust, organization, limited liability company,
51 or other entity, and its successors or assigns, that holds title to a publicly assisted housing
52 development.

53

54 “Prepayment”, the payment in full or the refinancing of a governmentally insured or

55 government-held mortgage indebtedness prior to its original maturity date, or the voluntary
56 cancellation of mortgage insurance, on a publicly assisted housing development, or payment in
57 full on a government contract, any of which would have the effect of removing either (i) the
58 affordability restrictions applicable to the publicly assisted housing development or (ii) a
59 requirement to renew any such affordability restrictions.

60

61 “Preserve affordability” or “preserves affordability”, with respect to a publicly assisted housing
62 development, to undertake reasonable and diligent actions to retain, renew and/or secure subsidies
63 affecting a publicly assisted housing development in order to maintain at least the same number
64 of units affordable to low, very low and extremely low -income households, respectively, as are
65 currently occupied by such households, and to maintain as affordable to such households
66 generally all units that are currently vacant, to the extent of available subsidies and taking into
67 account the need to ensure that the development provides quality housing to its tenants.

68

69 “Protected low-income tenant” means a low income tenant residing in the publicly assisted
70 housing development on the date of termination and whose rent was restricted by the
71 government program being terminated.

72

73 “Publicly assisted housing” or “publicly assisted housing development”, housing that receives
74 government assistance under any of the following programs: (i) section 8 of the United States
75 Housing Act of 1937, as amended, 42 U.S.C. section 1437f as it applies to new construction,
76 substantial rehabilitation, moderate rehabilitation, property disposition and loan management set-
77 -aside programs, or any other program providing project-based rental assistance; (ii) section 42 of

78 the Internal Revenue Code, as amended, 26 U.S.C. section 42, the federal Low-Income Housing
79 Tax Credit Program; (iii) section 101 of the Housing and Urban Development Act of 1965, as
80 amended, 12 U.S.C. section 1701s as it applies to programs for rent supplement assistance
81 thereunder; (iv) section 202 of the Housing Act of 1959, as amended, 12 U.S.C. Section 1701q;
82 (v) section 221(d)(3) of the National Housing Act of 1934, as amended, 12 U.S.C. section 1715l
83 (d)(3) or (5), the below market interest rate program; (vi) section 221(d)(4) of the National
84 Housing Act, as amended, 12 U.S.C. section 1715l (d)(4), to the extent the project's rents are
85 restricted pursuant to a government agreement; (vii) section 236 of the National Housing Act, as
86 amended, 12 U.S.C. section 1715z-l; (viii) section 515 of the Housing Act of 1949, as amended,
87 42 U.S.C. section 1485; (ix) section 521 of the Housing Act of 1949, as amended, 42 U.S.C.
88 section 1490a; (x) the Urban Development Action Grant, as amended, 42 U.S.C. Section 5318, to
89 the extent that the affordability of dwelling units subject to such program are restricted pursuant
90 to a government agreement; (xi) the Housing Development Action Grant, as amended, 42 U.S.C.
91 section 1437o, to the extent the project's rents are restricted pursuant to a government agreement;
92 (xii) section 13A of chapter 708 of the Acts of 1966; (xiii) the Massachusetts Rental Voucher
93 Program, so called, as described in line item 7004-9024 from year to year of the acts making
94 annual appropriations for the commonwealth, as it applies to project-based rental assistance; (xiv)
95 The state Low Income Housing Tax Credit program, section 6I of chapter 62; (xv) the State
96 Housing Assistance for Rental Production, chapter 574 of the acts of 1983; (xvi) chapter 121A, to
97 the extent that the -affordability of dwelling units are restricted pursuant to a written agreement
98 with the affected municipality; (xvii) other financing programs as identified by the department;
99 (xviii) for the purposes of section 3 and section 4, housing that, as of the effective date of this
100 chapter, qualified as publicly assisted housing under any of the aforementioned programs and was

101 not then subject to a purchase contract-in existence as of such date shall be subject to the
102 provisions of this chapter for 4 years following the date of the last event or occurrence that
103 constituted a termination; and (xiv) for the purposes of this chapter, housing that receives relief
104 from local zoning in exchange for providing a percentage of units as affordable to low or
105 moderate income residents that does not receive a financial subsidy shall not be considered
106 publicly assisted housing.

107

108 “Purchase contract”, any legally binding document to sell a publicly assisted housing
109 development, including without limitation a purchase and sale agreement, contract of sale,
110 purchase option, or other similar document.

111

112 “Regulatory Agreement”, an affordable housing restriction that establishes an owner's
113 obligations created pursuant to the efforts of the department or its designee to preserve
114 affordability and which is consistent with G.L. Chapter 184 section 31 and which shall not be
115 applied to limit an owner from receiving any rents otherwise allowable under federal law.

116

117 “Sale” or “sell”, the execution of any written agreement pursuant to which the owner and/or the
118 holders of ownership interests in the owner of the publicly assisted housing agree to the
119 disposition of the property by deed or equivalent action, regardless of whether through a single
120 transaction or a series of transactions except for dispositions of such housing to an affiliate of
121 the owner.

122

123 “Subsidies”, public financial assistance, including but not limited to grants, loans, rental
124 assistance, tax credits, tax abatements, mortgage financing, mortgage insurance, assistance
125 pursuant to any government program, or any other form of assistance, intended to make housing
126 affordable to low income households, especially very low and extremely low households.

127

128 “Tenant”, a tenant, subtenant, lessee, sub-lessee or other person legally entitled to possession,
129 or occupancy of a rental unit within publicly assisted housing.

130

131 “Tenant organization”, an organization established by the tenants of a publicly assisted housing
132 development for the purpose of addressing issues related to their living environment and which
133 meets regularly, operates democratically, is representative of all residents in such development,
134 is completely independent of owners, management, and their representatives, and which has
135 filed a notice of its existence with CEDAC, provided that, no owner or other third party shall be
136 required to ascertain the organization’s compliance with this definition.

137

138 “Termination”, the cessation, discharge or removal of any affordability restrictions affecting a
139 publicly assisted housing development in the absence of a simultaneous replacement of said
140 affordability restrictions with equivalent affordability restrictions-including, but not limited to:
141 (i) non renewal or termination, in whole or severable part, of a government program contract or
142 mortgage; (ii) expiration, in whole or in severable part, of an affordability restriction under a
143 government program or the requirement to renew such restrictions; (iii) payment in full of a
144 government program mortgage; or (iv) prepayment of a government program mortgage or
145 contract.

146

147 “Time for performance,” the date for delivery of the deed or other document evidencing a sale
148 pursuant to a purchase contract, as such time may be extended from time to time as set forth in
149 the applicable purchase contract.

150

151 “Very low income”, having a household income of no more than 60 percent of the area median
152 income, adjusted for household size, as periodically determined by the United States
153 Department of Housing and Urban Development

154

155 Section 2.

156 (a) Informational Notice. Except with respect to properties subject to an affordability restriction
157 which has less than 2 years remaining, for which subsection (e) shall, apply, the owner of
158 publicly assisted housing shall give a written notice to; (i) all tenants and any tenant organization
159 of the publicly assisted housing; (ii) Chief Executive Officer of the affected municipality; (iii)
160 CEDAC; and (iv) the department, not less than 2 years before the termination of the affordability
161 restriction affecting publicly assisted housing covered by this chapter. Nothing herein shall
162 prohibit the owner from taking actions to terminate affordability restrictions during the notice
163 periods provided herein, provided that the owner complies with all of the notice terms and
164 restrictions pursuant to subsections (b) and (c). The informational notice shall provide (1) the
165 address of the publicly assisted housing; (2) the name and address of the owner; (3) notification
166 that the affordability restrictions may terminate, (4) the date by which each affordability
167 restriction may terminate, and (5) such other information as determined by the department.
168 Where more than 1 termination may occur, the owner may send 1 such written notice so long as

169 the terminations are scheduled to occur within 1 year of one another, the notice is given at least
170 24 months prior to the earliest termination, and the notice otherwise complies with this
171 subsection.

172

173 (b) Notice of Intent to Complete Termination. An owner of publicly assisted housing may not
174 complete a termination or allow a termination to occur unless not less than 1 year before the
175 completion of the last termination event affecting such housing, the owner provides the entities
176 identified in subsection (a) with written notice of intent to complete termination. Such notice
177 shall state: (1) the address of the publicly assisted housing; (2) the name and address of the
178 owner; (3) the date on which the owner intends to complete termination; (4) unless section 6
179 applies, a statement that the department has the right of offer pursuant to section 3; and (5) such
180 other information as determined by the department.

181

182 (c) An owner of publicly assisted housing shall not sell such housing before offering the
183 department the opportunity to purchase the property pursuant to sections 3 and 4. The owner
184 shall notify, in writing, the parties identified in subsection (a) of the owner's intention to
185 potentially to sell said property.

186

187 (d) Any notice required by this chapter shall be deemed given when delivered in person or
188 mailed by certified or registered mail, return receipt requested, to the party to who notice is
189 required to be given. Notices to the affected municipality shall be given to the Chief Executive
190 Officer.

191

192 (e) Notwithstanding the provisions of subsection (a), an owner of publicly assisted housing who,
193 on the effective date of this act, has less than 2 years remaining prior to the date when the
194 affordability restriction will cease to apply to such property, shall not be required to give the 2
195 year notice required by subsection (a), but shall give notice within 90 days of the effective date of
196 this chapter. Notwithstanding the provisions of subsection (b), an owner, who on the effective
197 date of this chapter has less than 1 year remaining prior to a termination, shall not be required to
198 give the 12 month notice required by subsection (b), but shall give notice within 90 days of the
199 effective date of this chapter.

200

201 (f) The notice requirements herein shall not be affected by the status of any offer, purchase
202 contract or sale under section 3 or section 4.

203

204 Section 3.

205 (a) An owner of publicly assisted housing shall offer the department an opportunity to purchase
206 such property prior to entering into an agreement to sell the property pursuant to the time
207 periods contained in this section, but no owner shall be under any obligation to enter into an
208 agreement to sell such property to the department.

209

210 (b) The department may select a designee to act on its behalf as purchaser of the publicly assisted
211 housing and shall give the owner and CEDAC written notice in the event that it has selected a
212 designee. The department shall promptly consult with the affected municipality prior to selecting
213 a designee and shall immediately designate the affected municipality as its designee upon written
214 request of the affected municipality, unless the department determines that such request is not

215 approvable for reasons set forth in the department's regulations. The department shall enter into a
216 written agreement with its selected designee providing that the designee, and any of its successors
217 or assigns, agree to preserve affordability of the publicly assisted housing. Once such an
218 agreement is entered into, the designee shall assume all rights and responsibilities attributable to
219 the department as a prospective purchaser under this section and section 4. All references to the
220 “department” in this section and section 4 shall include any such designee and all
221 communications with the department under this section and section 4 shall be directed to the
222 department and the designee. At any time prior to a sale under section 3 or section 4, the
223 department may revoke its designation and assume the designee’s rights and responsibilities,
224 either in its own capacity or by selecting a new designee; provided that in no event shall any such
225 change in a designation extend or alter any time periods for performance set forth in this chapter
226 or in any purchase contract entered pursuant to this chapter.

227

228 (c) The department shall have 90 days from the day it receives notice pursuant to section 2 of
229 the owner’s intention to sell, to submit an offer to the owner to purchase the publicly assisted
230 housing. Failure by the department to submit a timely offer shall constitute an irrevocable
231 waiver of the department’s rights under this section; and the owner shall be permitted to sell the
232 publicly assisted housing subject to the provisions of section 4. If the owner accepts the
233 department’s initial or any revised offer, the owner and the department shall enter into such other
234 agreements as are necessary and appropriate to complete the sale. In the event the owner and the
235 department have not entered into an agreement to sell the property to the department within 90
236 days of receipt of the notice pursuant to subsection (c) of Section 2, the owner shall be free to

237 enter into an agreement to sell the property to a purchaser of the owner's choice subject to the
238 department's right of first refusal as set forth in section 4.

239

240 (d) At any time after notice provided for in section 2 is given, and within 10 days of receiving a
241 request, the owner shall make documents available to the department for review and
242 photocopying during normal business hours at the owner's principal place of business or at a
243 commercial photocopying facility. Such documents shall include, but not limited to: (1) any
244 existing architectural plans and specifications of the development; (2) itemized lists of monthly
245 operating expenses and capital expenditures in each of the 2 preceding calendar years; (3) any
246 capital needs studies or market studies that have been submitted to a federal, state, or local
247 agency in the last 3 years; (4) utility consumption rates for the prior 12 months; (5) copies of the
248 last 2 annual financial and physical inspection reports filed with federal, state or local agencies;
249 (6) the most recent rent roll showing current vacancies and rent arrearages; (7) a list of vacant
250 units; and (8) a statement of the approximate annualized vacancy rate at the development for
251 each of the 2 preceding calendar years. Documents obtained pursuant to a request under this
252 paragraph shall not be considered public records, as defined in clause 26 of section 7 of chapter
253 4 of the General Laws, and the department shall not make such documents available to the
254 public except with the owner's written consent or pursuant to court order, provided that
255 disclosure shall be permitted to potential funding sources, regulatory agencies, or agents or
256 consultants of the department, in connection with the transaction, subject to appropriate
257 confidentiality agreements. Upon request, and with appropriate notice, the owner shall also
258 permit reasonable inspections of the dwelling units, building systems, common areas, and

259 common grounds by agents, consultants and representatives of the department including but not
260 limited to inspections related to environmental, engineering, structural or zoning matters.

261

262 (e) Not later than 30 days after the department submits an offer to purchase the publicly
263 assisted housing development pursuant to subsection (c), above, the department shall notify
264 tenants in such housing development and shall meet with the affected tenants at least once to
265 discuss the department's plans.

266

267 Section 4.

268 (a) The department or its designee shall have a right of first refusal to purchase any publicly
269 assisted housing development as set forth in this section. At any time after the 90 days the
270 department has been given notice pursuant to subsection (c) of section (2), but not later than the
271 360 days after the date of such notice, the owner may execute a purchase contract with a third
272 party to sell the publicly assisted housing development provided the owner complies with this
273 section.

274

275 (b) Upon execution of any third party purchase contract, the owner shall promptly, within seven
276 days, notify the department and CEDAC of such execution by providing a copy of the third party
277 purchase contract, along with a proposed purchase contract for execution by the department.

278 The department shall have 30 days from the date it receives the third party purchase contract and
279 the proposed purchase contract to execute the proposed purchase contract, or such other
280 agreement as is mutually acceptable to the owner and the department. These time periods may
281 be extended by mutual agreement of the owner and the department. The proposed purchase

282 contract shall contain the same terms and conditions as the executed third party purchase
283 contract, except that the proposed purchase contract with the department shall provide terms no
284 less favorable than the following: (i) the earnest money deposit shall not exceed the lesser of: 1)
285 the deposit in the third party purchase contract, (2) 2 per cent of the sales price or (3) \$250,000,
286 and the earnest money deposit shall be held under commercially reasonable terms by an escrow
287 agent mutually acceptable to the owner and the department; (ii) the earnest money deposit shall
288 be non-refundable, other than for the owner's failure to perform its obligations, after a due
289 diligence period of not less than 90 days from the date of execution of the purchase
290 contract, or such greater period as was provided for in the third party purchase contract;
291 and (iii) the time for performance shall be not less than 240 days from the date of the execution
292 of the purchase contract, or such greater period as was provided for in the third party purchase
293 contract.

294

295 (c) If the department fails to timely execute the proposed purchase contract within 30 days or
296 such other period provided in subsection (b), then the owner shall have 24 months from the last
297 day on which the department or designee was entitled to execute the proposed purchase
298 contract, in which to complete the sale of owner's publicly assisted housing development to
299 any third party except as provided in (e). Upon the expiration of the 24 month period, the
300 owner shall be subject again to all the provisions of subsection (c) of this section 2, section 3
301 and section 4.

302 (d) If the department executes the proposed purchase contract as provided in subsection (b) but
303 fails to perform as provided in the executed purchase contract, then the owner shall have a
304 period of 2 years from the date on which the department the proposed purchase contract

305 terminated in which to complete the sale of the owner's publicly assisted housing development
306 to any third party on economic terms and conditions that are not materially more favorable to
307 the proposed purchaser than the economic terms and conditions in the proposed purchase
308 contract offered to the department. Upon expiration of the 24 month period, the owner shall be
309 subject to subsection (c) of section 2, section 3 and section 4.

310

311 (e) The department may make a counter offer to the owner by executing and submitting to the
312 owner an amended proposed purchase contract. The owner shall have 30 days from the date it
313 receives the amended proposed purchase contract to execute the amended proposed purchase
314 contract or reject, in writing, the counter offer. If the owner rejects the counter offer, it shall
315 have 24 months from the date on which the owner rejects the department's counter offer to
316 complete the sale of the owner's publicly assisted housing development to any third party,
317 provided that, if such sale is (i) upon economic terms and conditions that are materially more
318 favorable to the proposed purchaser than the economic terms and conditions in the proposed
319 purchase contract offered to the department or (ii) upon terms that are substantially the same as
320 was offered by the department in the counter offer, then the owner shall provide a copy of the
321 new third party purchase contract, along with a proposed purchase contract for execution by the
322 department which shall contain the same terms and conditions as the executed third party
323 purchase contract, and the department shall have 30 days from the date it receives the third party
324 purchase contract and the proposed purchase contract to execute the proposed purchase contract
325 (or such other agreement as is mutually acceptable to the owner and the department).

326

327 (f) The owner shall promptly, but in any event within 7 days of execution thereof, provide the
328 department with a copy of any new or amended purchase contract executed with respect to the
329 property during the 2 year period set forth in subsections (c) , (d) and (e), and shall promptly,
330 but in any event within 7 days of recording or filing thereof, provide the department with a copy
331 of any deed or other document transferring owner's interest in the publicly assisted housing
332 development.

333

334 (g) Any submission to the department of a third party purchase contract, amended third party
335 purchase contract, or deed or other document transferring owner's interest in the publicly
336 assisted housing development shall include a certification by owner and, with respect to any
337 document executed by the third party buyer, the third party buyer, that same is accurate and
338 complete, and there are no other agreements between owner and the third party buyer, or any
339 affiliate of either, with respect to the sale of the publicly assisted housing development.

340

341 Section 5. For the purposes of this chapter, an affected municipality shall not be subject to the
342 provisions of section 16 of chapter 30B.

343 Section 6.

344 (a) The provisions of section 3 and section 4 shall not apply to any of the following: (i) a
345 government taking by eminent domain or negotiated purchase in lieu of eminent domain; (ii) a
346 forced sale pursuant to a foreclosure; (iii) a deed-in-lieu-of foreclosure; (iv) a proposed sale that,
347 as determined by the department, is to a purchaser pursuant to terms and conditions that
348 preserves affordability; (v) a proposed sale of a publicly assisted development which the

349 department has determined has a section 8 contract, as defined in publicly assisted housing in
350 section 1, for all the units in the development and the buyer has agreed, in a regulatory
351 agreement, to renew project-based section 8 assistance, or any successor program, for all units in
352 the development provided that at the time of such renewal, such assistance is available to the
353 owner on economic terms and conditions that are comparable to the existing assistance contract;
354 (vi) a proposed sale of a publicly assisted development to an affiliate of the owner that is not a
355 termination as determined by the department; and (vii) a proposed sale pursuant to a binding
356 agreement in effect on the effective date of this chapter.

357
358 (b) An owner seeking an exemption under clauses (a)(iv), (v) or (vi) shall include the name and
359 address of any tenant organization in the request, and shall provide a copy of its request to the
360 Chief Elected Official of the affected municipality, CEDAC, the local legal services
361 organization as designated by the department, and the tenant organization at the time it files its
362 exemption request with the department. The department shall provide a copy of its written
363 determination under clauses (a)(iv), (v) or (vi) to the owner, CEDAC, the local legal services
364 organization, and any tenant organization.

365 Section 7. For a period of 3 years after termination, the rent for a protected low-income tenant
366 who does not receive an enhanced section 8 voucher may not be increased more than once
367 annually by the increase in the consumer price index applicable to the area in which the
368 publicly assisted housing development is located during the prior 12 months plus 3%. The
369 foregoing shall not apply to a low-income tenant (i) who is income eligible for an enhanced
370 section 8 voucher but does not obtain one solely due to some action or inaction of the tenant on
371 or after the date he or she is eligible to apply for an enhanced voucher; or (ii) who would be

372 eligible for an enhanced section 8 voucher if this provision was not in effect. For a period of 3
373 years after termination, a protected low-income tenant shall not be evicted or involuntarily
374 displaced from his or her apartment except for good cause related to tenant fault.

375 Section 8. Any purchase by the department or by a purchaser pursuant to this chapter shall be
376 subject to a regulatory agreement.

377

378 Section 9. An owner who has complied with the provisions of sections 2 and section 3 which
379 has not resulted in a purchase by the department or its designee, or which has resulted in a sale
380 pursuant to section 4 may apply to the department for a certificate of compliance by submitting
381 a written request for said certificate in the form and with such documentation as required by the
382 department to establish the owner's compliance to the satisfaction of the department. At the
383 same time, the owner shall provide a copy of the request to CEDAC and the Chief Executive
384 Officer of the affected municipality. The owner shall provide a copy of the owner's request to
385 any tenant of the publicly assisted housing upon request. The department shall issue the
386 certificate of compliance within 30 days of receipt of the application if it determines that the
387 owner has complied with the provisions of sections 2 and 3. Upon issuance, the certificate of
388 compliance shall be filed with the registry of deeds within 1 year after the date of issuance.

389

390 Section 10. Within 45 days of the passage of this chapter, the department shall establish a 12-
391 member advisory committee, to consist of the undersecretary of the department or her designee,
392 the executive director of the Community Economic Development Assistance Corporation, 1
393 member selected by the Massachusetts Mayors Association, 1 member selected by the

394 Massachusetts Municipal Association, 1 member selected by Citizens' Housing and Planning
395 Association, 1 member selected by the Greater Boston Real Estate Board, 1 member selected by
396 the Real Estate Bar Association for Massachusetts, 1 member selected by the Massachusetts
397 Association of Community Development Corporations, 1 member selected by Massachusetts
398 Legal Assistance Corporation, 1 member affiliated with the Affordable Housing Preservation
399 Initiative of the Local Initiatives Support Corporation, and 2 additional members chosen by the
400 department to provide advice and recommendations to the department regarding regulations to
401 implement this act; provided further, that the department shall promulgate regulations to
402 effectuate the purposes and to implement the provisions of this chapter within 150 days of the
403 passage of this chapter.

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